

## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	28-Nov-05	APPL. S. N.:	10626025
To Examiner:	ZIMMERMAN, BRIAN A	Art Unit	2635
From	Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68

**SUBJECT:** Decision on Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,

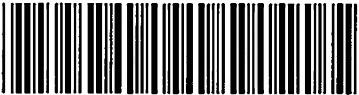
please initial, date and return this memo to me. THANK YOU.

- The T.D. is PROPER and has been recorded (see 14.23).
- The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):
- The TD fee of **\$0.00** has not been submitted nor is there any authorization in the application file for the use of a deposit account
  - The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).
  - The T.D. lacks the enforceable only during common ownership clause - needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).
  - The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).
  - The person who signed the T.D.:
    - is not an attorney "of record" (see 14.29 and 14.29.01).
    - has failed to state his/her capacity to sign for the business entity (see 14.28).
    - is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).
  - No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).
  - The T.D. is not signed (see 14.26 & 14.26.03).
  - The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).
  - The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).
  - The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).
  - Other: \_\_\_\_\_
  - Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex.Initials: \_\_\_\_\_ Date: \_\_\_\_\_

Log Date: 28-Nov-05

<b>Application Number</b> 	Application/Control No. 10/626,025	Applicant(s)/Patent under Reexamination GARDENFORS ET AL.

<b>Document Code - DISQ</b>	<b>Internal Document – DO NOT MAIL</b>
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<b>TERMINAL DISCLAIMER</b>	<input checked="" type="checkbox"/> APPROVED <i>MY</i>	<input checked="" type="checkbox"/> DISAPPROVED
Date Filed : November 28, 2005	This patent is subject to a Terminal Disclaimer	<i>ATTY not of record</i>

<b>Approved/Disapproved by:</b>
Henry D. Jefferson

O I P E  
NOV 16 2005  
PATENT & TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 11, 2005 Signature:   
(Carol Marsteller)

Docket No.: 34650-00179USC2  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Karl H. Torbjorn, Gardenfors et al.

Application No.: 10/626025

Confirmation No.: 1268

Filed: July 24, 2003

Art Unit: 2635

For: RADIO TRANSCEIVER ON A CHIP

Examiner: B. A. Zimmerman

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is attorney of record for the assignee of the above-identified application. Telefonaktiebolaget L M Ericsson (publ) certifies that it is the owner of 100% interest in the above identified patent application, as evidenced by the attached assignment, said assignment having been recorded in the U.S. Patent and Trademark Office on June 11, 1997 at Reel 8576, Frame 0209.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,663,550. The owner hereby agrees that any patent that is granted on the above-identified application shall be enforceable only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a

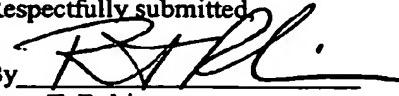
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maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminate prior to the expiration of its full statutory term.

Dated: November 11, 2005

Respectfully submitted,

By 

Ross T. Robinson

Registration No.: 47,031

JENKENS & GILCHRIST, A PROFESSIONAL  
CORPORATION

1445 Ross Avenue, Suite 3700

Dallas, Texas 75202

(214) 855-4500

Attorneys For Applicant